

**MINUTES OF THE  
SENATE COMMITTEE ON LEGISLATIVE OPERATIONS AND ELECTIONS**

**Seventy-Eighth Session  
February 23, 2015**

The Senate Committee on Legislative Operations and Elections was called to order by Chair Patricia Farley at 3:40 p.m. on Monday, February 23, 2015, in Room 2144 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412E of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada, and to Modular Conference Room, Chilton Circle, Great Basin College, 1500 College Parkway, Elko, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

**COMMITTEE MEMBERS PRESENT:**

Senator Patricia Farley, Chair  
Senator James A. Settelmeyer, Vice Chair  
Senator Greg Brower  
Senator Kelvin Atkinson  
Senator Tick Segerblom

**GUEST LEGISLATORS PRESENT:**

Senator Pete Goicoechea, Senatorial District No. 19  
Senator Pat Spearman, Senatorial District No. 1

**STAFF MEMBERS PRESENT:**

Michael Stewart, Policy Analyst  
Brenda Erdoes, Legislative Counsel  
Linda Hiller, Committee Secretary

**OTHERS PRESENT:**

Mike Baughman, Ph.D., Executive Director, Lincoln County Regional  
Development Authority  
Dagny Stapleton, Deputy Director, Nevada Association of Counties  
Kyle Davis, Nevada Conservation League; America Votes  
Steve Walker, Douglas County; Lyon County; Eureka County  
Alex Tanchek, Nevada Cattlemen's Association

Senate Committee on Legislative Operations and Elections  
February 23, 2015  
Page 2

Stacey Shinn, Progressive Leadership Alliance of Nevada  
Priscilla Maloney, Retiree Chapter, American Federation of State, County and  
Municipal Employees Local 4041, AFL-CIO  
Leora Olivas, Silver State Voices  
Sondra Cosgrove, Ph.D., President, League of Women Voters of Las Vegas  
Valley  
Howard Watts III

**Chair Farley:**

I will open today's meeting with Senate Joint Resolution (S.J.R.) 2, sponsored by Senator Pete Goicoechea.

**SENATE JOINT RESOLUTION 2:** Urges Congress to require the sharing of federal receipts from commercial activity on certain public lands with the State of Nevada and its counties. (BDR R-452)

**Senator Pete Goicoechea (Senatorial District No. 19):**

With S.J.R. 2, we ask for a piece of the federal receipts from public lands in the State. Most of the federal receipts are retained by the feds. We are asking for Congress to consider sharing some of the income from industries—like geothermal, mining, grazing, leasing and recreation—that use our public lands. When you consider all the building and road construction we are doing in this State, that income would be a significant amount, both for the State and the counties. It is time we got a share of our public lands back.

**Mike Baughman, Ph.D. (Executive Director, Lincoln County Regional Development Authority):**

We support S.J.R. 2. Lincoln County is about 98.6 percent federal land, so we could benefit from this. The U.S. Bureau of Land Management (BLM) recently designated a 25,000-acre solar energy zone in Lincoln County, which is in southern Nevada. When that solar energy zone gets developed, the BLM will collect fees from rents, rights-of-way and leasing. Under statute, none of that revenue would come to Lincoln County to help fund some of the infrastructure and other expenses associated with building those solar projects.

Here are some numbers from work we did for the Nevada Association of Counties in 2014 on revenues and expenses from BLM. From 2008 to 2012, BLM generated total revenues of \$56.7 million in the State. Those revenues come from a variety of sources but primarily real estate activities, including the

sale and leasing of lands for a right-of-way or utility corridor. The BLM also generates almost \$7 million for rights-of-way for utilities and \$3 million in recreation fees. We know a lot of this money is coming to the federal government for tourist and economic activities. Our communities provide services and facilities to help support those activities. If these activities were occurring on private or State land, revenues would come in through the State via local or State taxes and could comprise a significant number.

The federal government provides some revenues to the State now, but those tend to be uncertain. One primary source of revenue to the State from federal activity is Payments in Lieu of Taxes (PILT), but that is a discretionary act on the part of the federal government. Our delegation constantly fights in Congress to guarantee us full PILT funding. Right now, PILT income is not a stable source of revenue. If we had a formula, we could count on for these revenues—when Congress agrees to provide us with more of these revenues—it would help our budget and our ability to provide services around and through the State. Nevada is around 87 percent public land, so there is much potential for added revenue for the State through S.J.R. 2.

**Chair Farley:**

To maintain these federal lands costs the federal government money, so if we want some of the money from the use of this public land, will federal officials come back and present a bill for the State's portion toward the upkeep of these public lands?

**Mr. Baughman:**

In Nevada, the federal government consistently loses money every year managing federal lands. This is not true of all states. This consistent loss is not a function of the ability of the lands to generate revenue as much as it is a function of the inability of the federal government to keep costs in check.

At the State or local government level, there is no reason to assume that we employ the same kind of cost structure as the federal government. The federal government shares revenues with us right now as a matter of law. We ask that it share an increased amount of that revenue with us. If it chooses to better manage the lands to drive down costs and increase revenues, that would certainly help the federal government.

**Senator Goicoechea:**

This resolution requires that a portion of federal receipts for commercial activity come to the State. We are not talking about management or management losses. We do not want to get into who does the best job of managing. That will come up later. If the federal government charges a commercial entity a fee to be on public lands within our State, then we would like to see a portion of that returned to the State or the county. The bottom line is we maintain roads and infrastructure for most of these projects, and in most cases, these local jurisdictions are losing money. We want a fair shake.

**Dagny Stapleton (Deputy Director, Nevada Association of Counties):**

We support S.J.R. 2. The revenues that Nevada's local governments now receive from development on the public lands within their borders are limited. Encouraging the federal government to pass legislation that would require more revenues or a percentage from each project on public lands to come back to the State and Nevada's counties would help support county operations, such as road maintenance, public safety, law enforcement and emergency response—all of which support those developments.

**Senator Segerblom:**

Does this money just go back to the county where the activity takes place or does it go to the State for distribution to other counties?

**Ms. Stapleton:**

That is not specified in the wording. It just encourages some of the money to come back to the State and counties. The question of which county or counties would probably be determined specifically in legislation.

**Kyle Davis (Nevada Conservation League):**

We support S.J.R. 2. It is similar to the Public Lands Renewable Energy Development Act of 2013, which is federal legislation we have worked on for the last few years. That bill was introduced a couple of times in Congress, having its genesis with a bill more specific to Lincoln County—the idea being that we would have revenue-sharing similar to what we see with geothermal and oil and gas in other states. This concept should ensure winners from this type of development on our public lands. With the added revenues, we can then take care of costs that come from those developments, whether for infrastructure or conservation impacts.

**Steve Walker (Douglas County; Lyon County; Eureka County):**

We support S.J.R. 2. I worked for the U.S. Forest Service in the 1970s in Ely. All the revenue I generated from selling forest products went to the U.S. Treasury. It never went back to the Forest Service or BLM districts, so there was no incentive to generate the money in the first place. I do not know if that is still the case, but if it is, that should be addressed.

**Alex Tanchek (Nevada Cattlemen's Association):**

We support S.J.R. 2.

**Chair Farley:**

I will close the hearing on S.J.R. 2 and open S.J.R. 7.

**SENATE JOINT RESOLUTION 7**: Proposes to amend the Nevada Constitution to provide certain rights to voters. (BDR C-403)

**Senator Pat Spearman (Senatorial District No. 1):**

Senate Joint Resolution 7 proposes an amendment to the Nevada Constitution to provide voting rights that are already in the *Nevada Revised Statutes*. Voting is a privilege that other nations have fought for. These rights and guarantees associated with voting should be in the Nevada Constitution. This is one constitutional amendment we can all enthusiastically support. For my almost 30 years of serving in the military, voting was one fundamental right for which I was prepared to lay down my life if asked to do so. I have submitted my written testimony ([Exhibit C](#)).

**Stacey Shinn (Progressive Leadership Alliance of Nevada):**

We support S.J.R. 7 because we support any effort to protect and ensure our right to vote.

**Priscilla Maloney (Retiree Chapter, American Federation of State, County and Municipal Employees Local 4041, AFL-CIO):**

When my group did our legislative strategizing, one of the top issues the members wanted to address was the right to vote. Senior citizens are concerned across the Country about preserving the right to vote. Seniors sometimes have impairments, disabilities and other barriers making it difficult to get to the polls to vote. We support S.J.R. 7.

**Senator Brower:**

We are all concerned when anyone, particularly seniors, perceive that their voting rights are being undermined. Can you tell us about any particular problems seniors are noticing in our State?

**Ms. Maloney:**

Besides working with the American Federation of State, County and Municipal Employee retirees, I was also asked to work with the 19,000-member group, Nevada Alliance for Retired Americans (NARA) on this issue. The NARA members also expressed concern about what they see in the press regarding potential attacks around voter ID laws. Here in Nevada, it is hard to know whether that is perception or a reasonable concern. A lot of our seniors are elderly and do not drive. There have been stories in other states where a registered senior voter shows up to vote with a utility bill to prove his or her identity and that person, for some reason, is turned away.

**Senator Brower:**

You used the word attack. Do you detect that seniors feel like they are under attack with respect to their right to vote?

**Ms. Maloney:**

A better word would be concern. Across the Country, we know that voter disenfranchisement, if it occurs, tends to fall disparately on minorities, seniors and people with some barriers to exercising their right to vote. We will talk about this issue during this Legislative Session. The Secretary of State (SOS) has other legislation submitted, and we will talk to the folks who sponsor those bills to see if we can allay some of these fears or come to some compromise.

**Senator Settelmeyer:**

For the record, I do know the SOS is not bringing a bill forward on voter ID. So it would be disingenuous to say so when all the bills are out and she does not have one. I do have one, but that is a whole different story.

**Ms. Maloney:**

One of my constituents told me of a story in the *Nevada Appeal* some weeks ago, quoting the SOS, I believe, that she was to submit something that had to do with voter ID. That made the group anxious. I understand that most of the bills are in.

**Senator Settlemeyer:**

It is important that we testify on the facts, and the fact is that the SOS is not bringing a bill on voter ID. She supports the concept, but she is not bringing a bill. I just want to put that out there.

**Mr. Davis (America Votes):**

We support S.J.R. 7.

**Leora Olivas (Silver State Voices):**

Voting is a fundamental right, established both in the U.S. and Nevada Constitutions. We feel it is equally important that the rights of voters are defined and protected in our Constitution, so we support S.J.R. 7.

**Sondra Cosgrove, Ph.D. (President, League of Women Voters of Las Vegas Valley):**

I support S.J.R. 7 for a number of reasons, all of which are based on our great Nation's history of expanding and protecting voter rights. I have submitted my written testimony ([Exhibit D](#)).

**Howard Watts III:**

I support S.J.R. 7 for all the reasons already mentioned. This is not changing anything; it just takes those fundamental voting rights already in law and puts them into the State Constitution. As we know, that process will get a thorough vetting by the State Legislature as well as a vote of the people.

**Senator Spearman:**

I hope you will support this proposed constitutional amendment, S.J.R. 7, so it can be brought back next Session for its second round of legislative approval before going to the voters for final approval in the 2018 general election.

Senate Committee on Legislative Operations and Elections  
February 23, 2015  
Page 8

**Chair Farley:**

I will close the hearing of S.J.R. 7. Seeing no one wanting to testify for public comment, this meeting is adjourned at 4:14 p.m.

RESPECTFULLY SUBMITTED:

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Linda Hiller,  
Committee Secretary

APPROVED BY:

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Senator Patricia Farley, Chair

DATE: \_\_\_\_\_



EXHIBIT SUMMARY				
Bill	Exhibit		Witness or Agency	Description
	A	1		Agenda
	B	3		Attendance Roster
S.J.R. 7	C	4	Senator Pat Spearman	Written Testimony
S.J.R. 7	D	1	Sondra Cosgrove	Written Testimony in Support